

REFERENCE TITLE: off-highway vehicles; technical correction

State of Arizona
House of Representatives
Forty-ninth Legislature
First Regular Session
2009

HB 2128

Introduced by
Representatives Weiers JP: Seel

AN ACT

AMENDING SECTION 28-1179, ARIZONA REVISED STATUTES; RELATING TO OFF-HIGHWAY VEHICLES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 28-1179, Arizona Revised Statutes, is amended to
3 read:

4 28-1179. Off-highway vehicle equipment requirements; rule
5 making; exception

6 A. An off-highway vehicle in operation in this state shall be equipped
7 with all of the following:

8 1. Brakes adequate to control the movement of the vehicle and to stop
9 and hold the vehicle under normal operating conditions.

10 2. Lighted headlights and taillights that meet or exceed original
11 equipment manufacturer guidelines if operated between one-half hour after
12 sunset and one-half hour before sunrise.

13 3. Except when operating on a closed course, either a muffler or other
14 noise dissipative device that prevents sound above ninety-six decibels. The
15 director shall adopt the current sound measurement standard of the society of
16 automotive engineers for all-terrain vehicles and motorcycles and the current
17 sound measurement standard of the international organization for
18 standardization for all other off-highway vehicles.

19 4. A spark arrestor device that is approved by the United States
20 department of agriculture and that is in constant operation except if
21 operating on a closed course.

22 5. A safety flag that is at least six by twelve inches and that is
23 attached to the off-highway vehicle at least eight feet above the surface of
24 level ground, if operated on sand dunes or IN areas designated by the
25 managing agency.

26 B. A person who is under eighteen years of age may not operate or ride
27 on an off-highway vehicle on public or state land unless the person is
28 wearing protective headgear that is properly fitted and fastened, that is
29 designed for motorized vehicle use and that has a minimum United States
30 department of transportation safety rating.

31 C. In consultation with the department of transportation, the Arizona
32 game and fish commission may:

33 1. Adopt rules necessary to implement this section.

34 2. Prescribe additional equipment requirements not in conflict with
35 federal laws.

36 D. This section does not apply to a private landowner or lessee
37 performing normal agricultural or ranching practices while operating an
38 all-terrain vehicle or an off-highway vehicle on the private or leased land
39 in accordance with the landowner's or lessee's lease.